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CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231, ON 20 May 2002

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Attorney Docket No. B45122

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Bruck, et al.	
Serial No.:	09/554,860	Group Art Unit No.: 1644
Filed:	19 May 2000	Examiner: M.E. Jamroz
For:	RECOMBINANT ALLERGEN WITH REDUCED ENZYMATIC ACTIVITY	

Commissioner of Patents and Trademarks
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT UNDER 37 C.F.R. §1.143

In response to the Examiner's Action dated March 20, 2002 (the "Office Action"), having a thirty (30)-day shortened statutory period for response, please enter the following Remarks into the record. Also, enclosed herewith is a Petition for a One-Month Extension of the shortened statutory period set by the Examiner and authorization to charge the required fee to the indicated deposit account.

In the Office Action the Examiner requires that Applicants make an election between one of the three following groups as the Examiner alleges that these groups lack unity of invention because they are drawn to different processes of making compounds on the following grounds.

Group I. Claims 1-16 and 18-20, drawn to a recombinant substantially full-length mutant allergen, wherein said mutant allergen has a reduced enzymatic activity

compared to the wild-type allergen, and vaccines comprising a recombinant substantially full-length mutant allergen, wherein said mutant allergen has a reduced enzymatic activity compared to the wild-type allergen and an adjuvant.

Group II. Claim 17, drawn to an isolated nucleic acid molecule encoding a recombinant substantially full-length mutant allergen, wherein said mutant allergen has a reduced enzymatic activity compared to the wild-type allergen.

Group III. Claim 22, drawn to a method of treating or preventing allergic responses comprising administering a vaccine comprising a recombinant substantially full-length mutant allergen, wherein said mutant allergen has a reduced enzymatic activity compared to the wild-type allergen.

Applicants traverse the restriction. While the groups identified may be distinct, they are not independent because search terms for one group will necessarily be shared with other groups. Therefore, doing searches on these groups combined would not be a significant burden on the Examiner. Nevertheless, in the interest of advancing the prosecution of this case, Applicants desire to make an election of Group I. Applicants reserve the right to file a divisional application directed to the non-elected subject matter.

SPECIES REQUIREMENT UNDER 35 U.S.C. §121

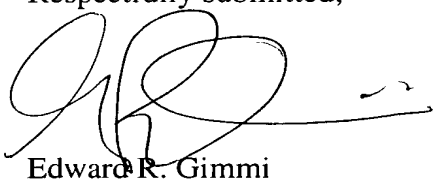
Applicants are further required under 35 U.S.C. §121 to (1) select a single disclosed species to which the claims would be restricted if no generic claim is finally held to be allowable, and (2) list all claims readable thereon including those subsequently added.

Applicants hereby specifically elect a recombinant mutant allergen, wherein said mutant allergen has reduced enzymatic activity compared to the wild-type allergen, wherein said allergen is based upon DerP1 from *Dermatophagoides pteronyssinus*, and wherein said mutation comprises the deletion or substitution of cysteine residues which are involved in disulphide bridge formation. This is the species claimed by Claim 10. Applicants further elect a vaccine comprising a recombinant mutant allergen as claimed in any one of the claims

1 to 16, and an adjuvant, wherein the adjuvant comprises 3-O-deacylated monophosphoryl lipid A. This is the species claimed by Claim 20.

Applicants believe that this response is a full and complete response to the Office Action. If any matter remains to be resolved before allowance, or discussion of any matter will facilitate the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number provided.

Respectfully submitted,



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